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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR-09-cr-149-MMC
)	
Plaintiff,)	STIPULATION AND (PROPOSED)
)	ORDER TO CONTINUE HEARING AND
v.)	TO EXCLUDE TIME
)	
MICHAEL CHEN,)	
)	
Defendant.)	
)	

On April 7, 2011, the court entered a briefing schedule related to the defendant's amended motion to suppress. By Order entered May 20, 2011, the court continued this matter based on the illness of counsel for the United States, Blake Stamm. It was anticipated that AUSA Stamm would return from medical leave in mid-June however, to date, he is out on extended medical leave as he has not yet recovered from surgery. The government represents that this will be the final request for a continuance of the hearing on the motion to suppress.

The matter is currently scheduled for hearing on June 29, 2011, on Defendant's Motion to Suppress is currently set for hearing on June 29, 2011. The parties now request that the Court continue the date for the hearing on the defendant's amended motion to suppress until September 7, 2011; the government's opposition to be due by August 17, 2011, and defendant's reply filed

1 on August 24, 2011. The parties further stipulate that the period of time from June 29, 2011,
2 until September 7, 2011, shall be excluded from the time limits applicable under 18 U.S.C. §
3 3161 pursuant to §3161(h)(1)(D).

4 Respectfully submitted,

5 MELINDA HAAG
6 United States Attorney

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8 Dated: June 16, 2011

/s/Cynthia Stier
CYNTHIA STIER
Assistant United States Attorney
Tax Division


9
10 Dated: June 16, 2011

/s/
Alan A. Dressler
Attorney for Defendant

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12 **ORDER**

13 For the reasons stated above, the Court finds that the continuance of time for the
14 hearing on the defendant's amended motion to suppress is warranted and the period from June
15 29, 2011, until September 7, 2011, shall be excluded from the time limits applicable under 18
16 U.S.C. § 3161 pursuant to §3161(h)(1)(D).

17
18 Dated: June 17, 2011


MAXINE M. CHESNEY
United States District Court Judge